

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
3 Chief, Criminal Division

4 RICHARD EWENSTEIN (CABN 294649)
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055
7 San Francisco, California 94102-3495
Telephone: (415) 436-6842
FAX: (415) 436-7027
richard.ewenstein@usdoj.gov

8 Attorneys for United States of America

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 OAKLAND DIVISION

12
13 UNITED STATES OF AMERICA,) NOS. 19-MJ-71669-MAG
14 Plaintiff,)
15 v.) STIPULATION RESETTING HEARING DATE
16 KEVIN FUQUA,) AND EXCLUDING TIME AND [PROPOSED]
17 Defendant.) ORDER
18 _____)

19 It is hereby stipulated by and between counsel for the United States and counsel for the
20 defendant Kevin Fuqua that the status hearing scheduled for July 8, 2020 be reset for August 4, 2020 at
21 10:30 A.M. It is further hereby stipulated by the parties that the time for preliminary hearing under Fed.
22 R. Crim. P. 5.1(c) be extended pursuant to Fed. R. Crim. P. 5.1(d) and that time be excluded under the
23 Speedy Trial Act from July 8, 2020 through August 4, 2020.

24 The parties stipulate and agree that time be extended for preliminary hearing and excluded under
25 the Speedy Trial Act so that defense counsel can continue to prepare, including by conferring with the
26 defendant regarding the plea offer and reviewing discovery. The parties stipulate and agree that
27 extending the time for preliminary hearing until August 18, 2020, and excluding time until August 4,
28 2020 will allow for the effective preparation of counsel and will further the public interest in the prompt

STIPULATION RESETTING HEARING AND EXCLUDING TIME AND [PROPOSED] ORDER
Case Nos. 19-MJ-71669-MAG

v. 7/10/2018

1 disposition of this matter by allowing the parties to potentially resolve the matter at an early stage of the
2 proceedings. *See* 18 U.S.C. § 3161(h)(7)(B)(iv); Fed. R. Crim. P. 5.1(d). The parties further stipulate
3 and agree that the ends of justice served by excluding the time from July 8, 2020 through August 4,
4 2020 from computation under the Speedy Trial Act outweigh the best interests of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

6 The undersigned Assistant United States Attorney certifies that he has obtained approval from
7 counsel for the defendant to file this stipulation and proposed order.

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9 IT IS SO STIPULATED.

10 DATED: 07/02/2020

11 _____
12 /s/
13 RICHARD EWENSTEIN
14 Assistant United States Attorney

15 DATED: 07/02/2020

16 _____
17 /s/
18 JOHN JORDAN
19 Counsel for Defendant Kevin Fuqua

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[PROPOSED] ORDER

2 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
3 Court resets the status hearing from July 8, 2020 to August 4, 2020 and finds that failing to exclude the
4 time from July 8, 2020 through August 4, 2020 would unreasonably deny defense counsel and the
5 defendant the reasonable time necessary for effective preparation, taking into account the exercise of
6 due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court also finds that the ends of justice served by
7 excluding the time from July 8, 2020 to August 4, 2020 from computation under the Speedy Trial Act
8 outweigh the best interests of the public and the defendant in a speedy trial. The Court further finds
9 good cause, pursuant to Fed. R. Crim. P. 5.1(d), to extend the time for preliminary hearing. Therefore,
10 and with the consent of the parties, IT IS HEREBY ORDERED that the status hearing set on July 8,
11 2020 is reset for August 4, 2020, that the time for preliminary hearing is extended to August 18, 2020,
12 pursuant to Fed. R. Crim. P. 5.1(d), and that time from July 8, 2020 through August 4, 2020 shall be
13 excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: 7/6/2020

DONNA M. RYU Thomas S. Hixson
United States Magistrate Judge